

# Bylaw 19589

## Closure of Vehicular Access to Titled Parcel for 51 Avenue Rehabilitation Project

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### Recommendation

That Executive Committee recommend to City Council:

That Bylaw 19589 be given the appropriate readings.

### Purpose

To close vehicular accesses along 51 Avenue NW from the titled parcel 9205 - 51 Avenue NW.

### Readings

Bylaw 19589 is ready for three readings.

### Advertising and Signing

This Bylaw is not required to be advertised and can be signed and, thereby, passed following third reading.

### Position of Administration

Administration supports this Bylaw.

### Position of Landowner

Administration initiated communications with the impacted landowner. The landowner is in support of the access closure.

### Report Summary

The report requests City Council's approval for Bylaw 19589.

### Report

Bylaw 19589 recommends closing existing vehicular access from the titled parcel, legally described as: Lot 41, Block 5, Plan 9020514 to 51 Avenue NW at 9205 - 51 Avenue NW.

Roadway rehabilitation of 51 Avenue between 86 Street and 99 Street is planned for 2021. This project presents an opportunity to facilitate design changes that are more compatible with the current land use and operation and comply with the current City design standards and guidelines.

Currently, this property has two accesses along 51 Avenue and two accesses along 93 Street (see Attachment 1 and Attachment 2). The existing eastern access on 51 Avenue is shared with the adjacent property. Administration recommends removing the western access on 51 Avenue, which is located very close to the 51 Avenue and 93 Street intersection. The shared access would remain and serve as the main access to this property.

The access that is proposed to be closed does not meet the City's Access Management Guidelines, as this access is located within 10 metres of the 51 Avenue and 93 Street intersection. This closure will also reduce the number of direct access points from the property to 51 Avenue, a major arterial road that will improve traffic flow and enhance safety for all road users along the corridor.

**Corporate Outcomes and Performance Management**

<b>Corporate Outcome(s): Goods and Services move efficiently</b>			
<b>Outcome(s)</b>	<b>Measure(s)</b>	<b>Result(s)</b>	<b>Target(s)</b>
Goods and services move efficiently	Travel time and reliability of goods and services movement (time in minutes and seconds to drive 10-km route)	10:09 - 50% of time 13:35 - 85% of the time (2017)	12:30 - 50% of time 16:00 - 85% of the time (2018)
<b>Corporate Outcome(s): The City of Edmonton has sustainable and accessible infrastructure</b>			
<b>Outcome(s)</b>	<b>Measure(s)</b>	<b>Result(s)</b>	<b>Target(s)</b>
The City of Edmonton has sustainable and accessible infrastructure	Edmontonians' Assessment: Access to infrastructure, amenities and services that improve quality of life (percent of survey respondents who agree / strongly agree)	68% (2017)	70% (2018)

**Risk Assessment**

<b>Risk Element</b>	<b>Risk Description</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Risk Score (with current mitigations)</b>	<b>Current Mitigations</b>	<b>Potential Future Mitigations</b>
Public	Potential	1 - Rare	1 - Minor	1 - Low	The current	If access is not

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Liability-closure not approved	pedestrian and vehicle conflicts within road right-of-way if the access remains				design identifies removal of access, eliminating conflict	closed now, it would be reviewed through any future re-development permit and the developer could be required to remove access at that time
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## Public Engagement

Administration received consent from the property owner (9205 - 51 Avenue NW) indicating his support of the proposed access closure on January 31, 2021.

## Legal Implications

- The proposed access closure(s) must be carried out in accordance with the *Alberta Highways Development and Protection Act*.
- Section 28(1) of the *Highways Development and Protection Act* provides that City Council may close a physical means of access to or from a controlled street by passing a bylaw.
- The City must ensure that each titled parcel of land has at least one means of access to a controlled street, however indirect or circuitous that access may be, in accordance with the City Streets Access Bylaw, Bylaw 13521.
- Provided alternate access to the titled parcel exists or is provided, no compensation is payable pursuant to section 29(1) of the *Highways Development and Protection Act*.

## Attachments

1. Access Closure Location - Plan View
2. Access Closure Location - Street View
3. Access Closure Bylaw 19589

## Others Reviewing this Report

- G. Cebryk, Deputy City Manager, City Operations
- S. McCabe, Deputy City Manager, Urban Form and Corporate Strategic Development
- C. Owen, Deputy City Manager, Communications and Engagement
- K. Fallis-Howell, Acting City Solicitor